

SHD Paraphrased Regulations - Refugee Programs 720 Alien Status and Residency
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721-2

RCA is cash assistance provided to refugees who are ineligible for CalWORKs or SSI/SSP and who have resided in the United States for no longer than the period specified in federal regulations (the Code of Federal Regulations, or CFR) or in official issuances from the federal Director of the Office of Refugee Resettlement (ORR). (§69-202.41, as revised effective February 1, 2002)

The time eligibility for RCA is limited, in general, to eight months. (Handbook §69-202.411; 45 CFR §§400.203 and 400.211)

Generally, the month of entry, as indicated on the INS Form I-94, is counted as the first of the eight-month eligibility period. Time eligibility exceptions apply to asylees whose first month of eligibility begins on the date they were granted asylum, and unaccompanied refugee minors (§69-273) who are not subject to time eligibility limitations. (§69-205.241, as revised effective February 1, 2002)

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Federal regulations require the following when notice is sent regarding RCA and other assistance program:

"In providing notice to an applicant or recipient to indicate that assistance has been authorized, denied, reduced, suspended or terminated, the State or its designee agency's must specify the program(s) to which the notice applies, clearly distinguishing between RCA and other assistance programs. For example, in the case of a public-administered program, if a refugee applies for assistance and is determined ineligible for TANF but eligible for refugee cash assistance, the notice to the applicant must specify clearly the determinations with respect both to TANF and to refugee cash assistance."

(45 Code of Regulations (CFR) §400.54(a)(3))

In addition, both state and federal regulations require that when a recipient is notified of termination because of reaching RCA time limits, the county must review the case file to determine possible eligibility for CalWORKs or GA. The notice must indicate the result of that determination as well as the RCA termination.

(§69-210.13; 45 CFR §400.53(a)(3))